

# Draft Environmental Assessment

## STERLING RANCH Proposed Fishing Access Sites Lease and Development Project



Proposed Lone Tree FAS  
at Sterling Ranch



Proposed Bull Pasture FAS  
at Sterling Ranch

December 2008



***Montana Fish,  
Wildlife & Parks***

**Proposed Lone Tree Fishing Access Site and Proposed Bull Pasture  
Fishing Access Site Lease and Development  
Draft Environmental Assessment  
MEPA, NEPA, MCA 23-1-110 CHECKLIST**

**PART I. PROPOSED ACTION DESCRIPTION**

**1. Proposed State Action:**

The Sterling Ranch has historically allowed public access for anglers through their property. FWP proposes to develop two of the more heavily impacted access points on the Missouri river into FASs. These two sites are commonly referred to as Lone Tree and the Bull Pasture. Development at the proposed Lone Tree FAS would include installing a vault latrine, a regulation sign, improving the trail or adding stairs down to the river, and improving the parking area. Development at the proposed Bull Pasture FAS would include improving the gravel entrance road, reclaiming existing roads and approaches at the site, constructing a parking area, installing a vault latrine, a regulation sign, and construction of a new fence with a gate and pedestrian pass-through.

**2. Agency authority:** The 1977 Montana Legislature enacted statute 87-1-605, which directs FWP to acquire, develop and operate a system of fishing accesses. The legislature earmarked a funding account to ensure that the fishing access site program would be implemented. Sections 23-1-105, 23-1-106, 15-1-122, 61-3-321, and 87-1-303, MCA, authorize the collection fees and charges for the use of state park system units and fishing access sites, and contain rule-making authority for their use, occupancy, and protection. Furthermore, state statute 23-1-110 MCA and ARM 12.2.433 guides public involvement and comment for the improvements at state parks and fishing access sites, which this document provides.

ARM 12.8.602 requires the Department to consider the wishes of users and the public, the capacity of the site for development, environmental impacts, long-range maintenance, protection of natural features and impacts on tourism as these elements relate to development or improvement to fishing access sites or state parks. This document will illuminate the facets of the proposed project in relation to this rule. See Appendix 1 for HB 495 qualification.

**3. Name of Project:** Sterling Ranch Proposed Fishing Access Sites Lease and Development Project for Lone Tree and Bull Pasture Fishing Access Sites

**4. Project Sponsor:**

Montana Fish Wildlife & Parks, Region 4  
4600 Giant Springs Road  
Great Falls, MT 59405  
406-454-5859

**5. Estimated Schedule:**

Estimated Construction/Commencement Date: Fall 2008 or Spring 2009

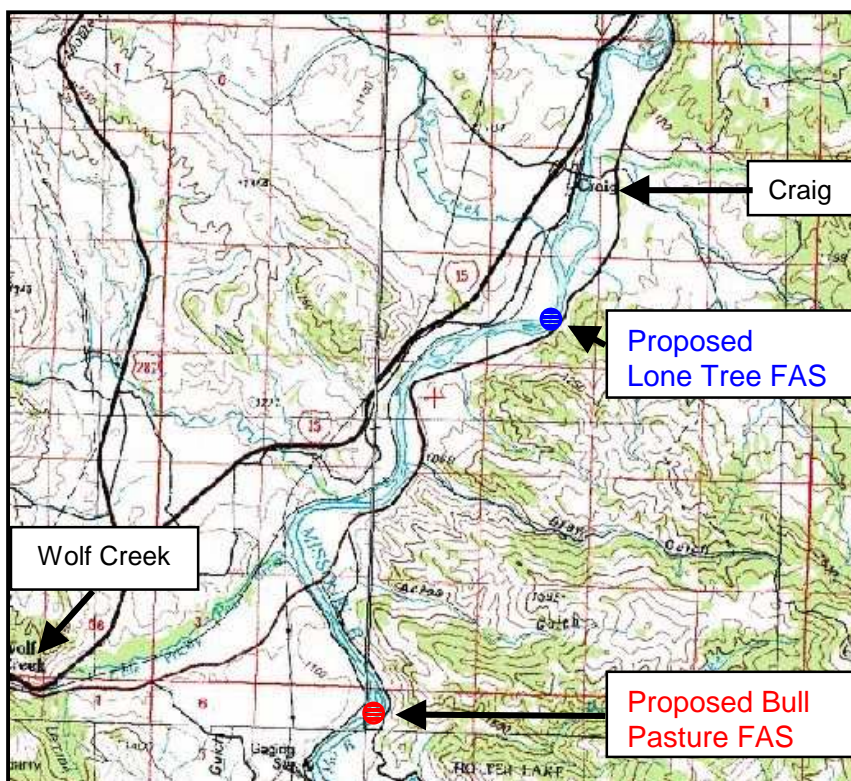
Estimated Completion Date: Fall 2008 or Spring 2009

Current Status of Project Design (% complete): 50%

**6. Location:**

The proposed Lone Tree Fishing Access Site (FAS) is located on Recreation Road, 1.4 miles upstream of the Craig Bridge on the east bank of the Missouri River at Township 15 N, Range 3 W, SE ¼ of section 15 in Lewis and Clark County, Montana. The proposed lease is 1.21 acres. The proposed Bull Pasture FAS is located on Beartooth Road, 1.4 miles upstream of Wolf Creek Bridge on the east bank of the Missouri River Township 14 N, Range 3 W, NW ¼ of section 4 in Lewis and Clark County. The proposed lease is 1.47 acres.

**Figure 1: Blue circle delineates location of Proposed Lone Tree FAS and red circle delineates location of Proposed Bull Pasture FAS.**



**7. Project size:**

	<u>Acres</u>		<u>Acres</u>
(a) Developed:		(d) Floodplain/Riparian	<u>1.68</u>
Residential	<u>0</u>		
Industrial	<u>0</u>	(e) Productive:	
(b) Open Space/Woodlands		Irrigated cropland	<u>0</u>
Recreation	<u>1.00</u>	Dry cropland	<u>0</u>
		Forestry	<u>0</u>
(c) Wetlands Areas	<u>0</u>	Rangeland	<u>0</u>
		Other	<u>0</u>



## 8. Map/site plan:

Figure 2:  
Aerial photograph  
depicting approximate  
boundaries (blue  
polygon; 1.21 acres) of  
proposed Lone Tree  
FAS (Base photo  
source: Montana  
Natural Resources  
Information Service  
Topofinder).



Figure 3:  
Aerial photograph  
depicting approximate  
boundaries (blue  
polygon; 1.47 acres) of  
proposed Bull Pasture  
FAS (Base photo  
source: Montana  
Natural Resources  
Information Service  
Topofinder)



Figure 4 Proposed Lone Tree FAS Overall Concept Site Plan

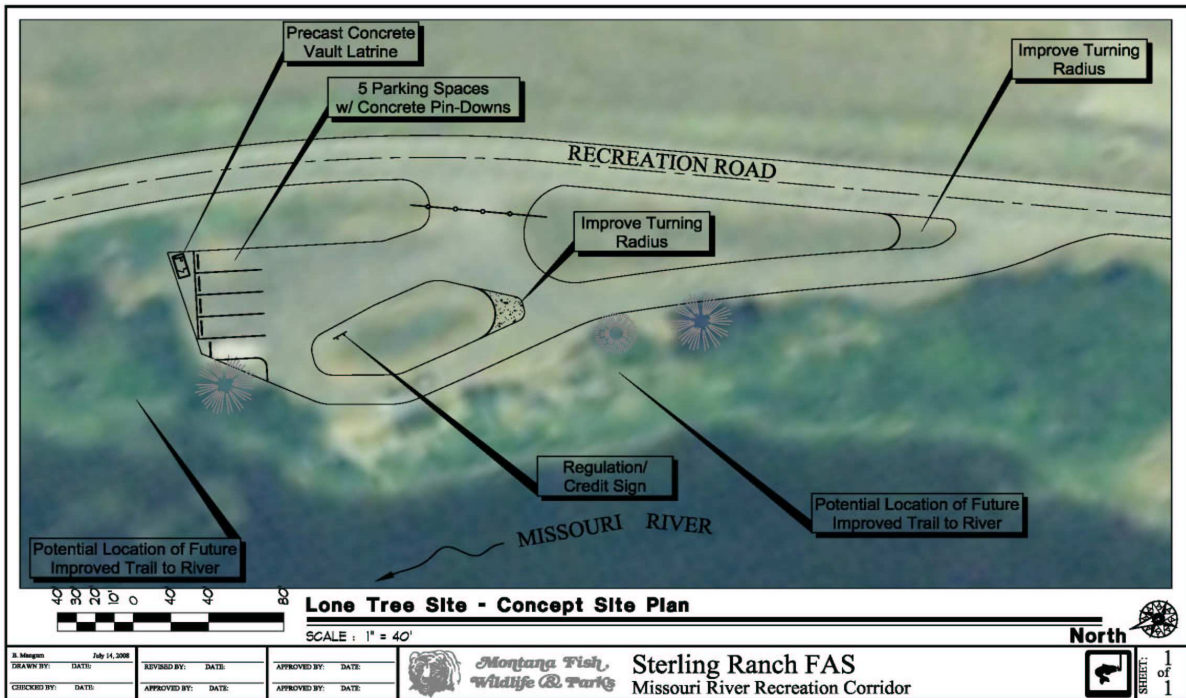
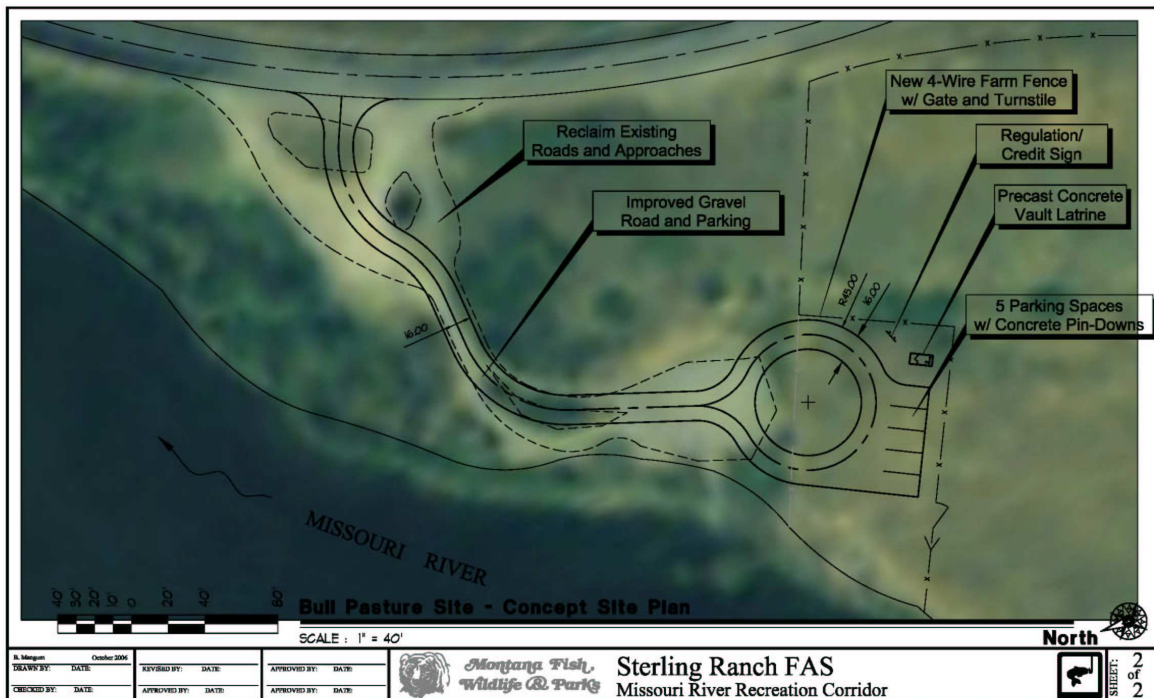


Figure 5 Proposed Bull Pasture FAS Overall Concept Site Plan



**9. Local, State, Federal agencies with overlapping or additional jurisdiction:**

**(a) Permits:**

<u>Agency Name</u>	<u>Permit</u>	<u>Date Filed/#</u>
Montana Fish, Wildlife & Parks (FWP)	124 MT Stream Protection Act	
Montana Dept. of Environmental Quality	318 Short Term Water Quality Standard for Turbidity	
US Corps of Engineers	404 Federal Clean Water Act	
Lewis and Clark County	Floodplain Permit	
Lewis and Clark County	Sanitation Permit	

**(b) Funding:**

<u>Agency Name</u>	<u>Funding Amount</u>
Montana Fish Wildlife & Parks FAS Development	\$70,000
FWP Fishing Access Acquisition	\$ 3,000 annually + 2% escalation

**10. Narrative summary of the proposed project including the benefits and purpose of the proposed action.**

**Proposed Fishing Access Site Descriptions and Backgrounds**

The proposed fishing access sites are located on a stretch of the Missouri River that is known as one of Montana's best trout fisheries. Angler use statistics over the past 10 years show that the Missouri River is the number one fishery in Region Four and consistently ranks in the top four fisheries in the state, having an average of 99,680 angler days per year (75,000-123,000 angler days per year). Angler use is approximately 65% resident and 35% non-resident. Game fish include brown trout, rainbow trout, walleye, burbot, and mountain whitefish. FWP has worked with various private landowners within this reach of the Missouri River to provide multiple access points for anglers and to protect the area from degradation.

The Sterling Ranch has historically allowed unfettered public access for anglers through their property. However as the number of anglers continued to increase over the years, some of the more popular access points were being negatively impacted. Erosion, health and sanitation issues, parking, overnight camping, weed control, etc. have become problems the landowner has had to contend with. In 2004, the Sterling Ranch entered into a Private Land Fishing Access Agreement (PLFA) with FWP. This agreement allows for public access along a corridor of the Missouri River (east bank) from Holter Dam to just below the Craig Bridge (eight river miles). This 5-year agreement is due to expire on June 30, 2009. Through this Agreement FWP agreed to develop two of the more heavily impacted access points on the river into FASs. These two sites are commonly referred to as Lone Tree and the Bull Pasture.

**Proposed Lone Tree Fishing Access Site**

The proposed Lone Tree FAS is located along the Missouri River and provides access for bank fishing. The site is currently part of a PLFA and is day use only. Wolf Creek Bridge FAS (river mile 2200) is the closest FAS upstream (1.4 miles) from the proposed site, and Craig FAS (river mile 2194) is the closest FAS located downstream (1.4 miles) from the proposed site. The existing site consists of a large parking area with undesignated parking spots and several pioneered trails leading down the steep bank to the Missouri River. There is one large ponderosa pine tree located near the parking area.





Picture 1: Trail from parking lot to riverbank at proposed Lone Tree FAS.



Picture 2: Parking area at proposed Lone Tree FAS. Parking spaces would be constructed near red truck. Latrine would be located to the right of large tree.

The vegetation around the Lone Tree parking area is primarily grasses along with Skunkbrush and Chokecherry, some Willows, Roses, Sweet Clover, Curly Gumweed, Ball Mustard, Globe Mallow, Western Yarrow, Yucca, Snowberry, Flix Weed, Grease Wood, Goat's Beard (Salsify), and Showy Milkweed. Noxious weeds present include Spotted Knapweed, Hound's Tongue, Leafy Spurge, Common Mullein and Scotch Broom. FWP would contract with the Lewis and Clark County Weed District for noxious weed control services.

The proposed site is within a bald eagle nesting territory, and within one mile of an active nest. According to Graham Taylor, FWP Region 4 Wildlife Manager, the nest is located more than one-quarter mile southeast of this property. Because the nest is located on a ridge above the proposed site at an elevation of 1000 -1500 feet higher, Mr. Taylor feels it is unlikely that the bald eagles would be disturbed by the proposed development.



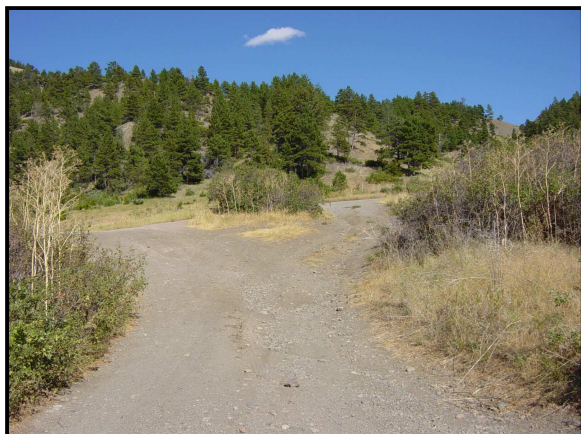
Picture 3: Entrance roads at proposed Lone Tree FAS. Entrance road in the foreground would be improved. Road to the right would be reclaimed. Reshape grass island in the middle to improve the turning radius.



Picture 4: Entrance to proposed Lone Tree FAS that would be improved.

### Proposed Bull Pasture Fishing Access Site

The proposed Bull Pasture FAS is located between Holter Dam and the Wolf Creek Bridge FAS. Wolf Creek Bridge FAS (river mile 2200) is 1.4 miles downstream and Holter Dam is less than 0.5 miles upstream. There is currently a short, braided access road (0.1 miles) into the parking area with undesignated parking. Anglers can walk down to the Missouri River directly from the parking area or they can go through a fence stile that provides access into the bull pasture and traverse along the Missouri River.



Picture 5. Existing entrance road to proposed Bull Pasture FAS. Road on right would be reclaimed.



Picture 6: Parking area at proposed Bull Pasture FAS.

The vegetation at the Bull Pasture site primarily includes grasses, Water Hemlock, Chokecherry, and Sweet Clover. There is a large infestation of Spotted Knapweed at the site. FWP would contract with the Lewis and Clark County Weed District for noxious weed control services.

### Proposed Action, Purpose, and Benefits of the Action

The proposed Lone Tree and Bull Pasture FAS's were identified as areas in the PLFA that need more management due to high usage and site degradation. FWP proposes to lease these sites from the private landowner and to develop the sites into formal Fishing Access Sites that would be used for day use only. No overnight camping use is proposed and none is anticipated in the future. Development at proposed Lone Tree FAS would include installing a precast vault latrine, installing a regulation/credit sign, improving the parking area, and adding a trail or stairs from the parking lot down to the river. (Figure 4 Site Plan). The parking area improvement would include installing five parking spaces with concrete pin-downs, blocking off one of the current entrances, improving the turning radius of the other current entrance, and improving the turning radius from the entrance road to the parking area (Pictures 1, 2, 3, and 4).

Development at the proposed Bull Pasture FAS would include improving the gravel entrance road, reclaiming existing roads and approaches at the site, constructing five parking spaces with concrete pin-downs, installing a precast concrete vault latrine, installing a regulation/credit sign, installing new 4-wire farm fence with a gate and pedestrian pass-through (Pictures 5, 6, and Figure 5 Site Plan).



The purpose of the proposed work is to prevent sanitation problems and prevent erosion and off-road use. The benefits of leasing the properties and developing each site include decreasing human waste and trash at both locations in addition to better land use by establishing a trail or stairs and parking areas to help prevent erosion, control the spread of noxious weeds, prevent off-road use and vegetation destruction. These proposed actions would reduce conflict and alleviate the concerns expressed by the landowners as well as improve landowner-sportsmen relations. The public will have better vehicle safety and movement within established parking areas. The lease and development of these properties will result in good neighbor relations with continued public access to these locations and better ability to manage current visitor use.

### **The Land Lease Transaction**

FWP proposes to lease the two proposed FASs through a lease agreement with the private landowner at a cost of \$1,500 per site per year with a 2% annual escalation factor.

### **Maintenance and Operations of the Sites**

Montana Fish, Wildlife & Parks would assume responsibility for routine maintenance of the site including restroom cleaning and stocking, vault toilet pumping, sign installation and maintenance, road maintenance, litter and refuse pick up, mowing, fence maintenance, and general site upkeep. Region 4 Parks Division does not currently have adequate staffing or funding to maintain these new sites without additional funding from the Fishing Access Program or from another FWP funding source. The proposed FASs would be open only during daylight hours, no overnight camping would be allowed, and no fees would be charged. FWP will contract with the Lewis and Clark County Weed District to implement weed control measures at both locations. Herbicides, bio-control, and mowing would be used where appropriate.

## **PART II. ENVIRONMENTAL REVIEW**

### **1. Description and analysis of reasonable alternatives:**

#### **Alternative A: No Action**

Do not lease the sites and develop them into formal Fishing Access Sites. Do not renew the public access provided through a Private Land Fishing Access (PLFAS) agreement. Current use would likely continue at both sites, as well as, erosion, sanitation problems, overnight camping and off road use. These problems would be unacceptable to the landowner and increase conflict at the sites.

#### **Alternative B: Proposed Action: Lease and Develop the Proposed Lone Tree and Proposed Bull Pasture Fishing Access Sites (preferred alternative)**

FWP would lease, develop and manage the proposed Lone Tree FAS (1.21 acres) and Bull Pasture properties (1.47 acres). The annual lease rate will be \$1,500 per site per year with a 2% annual escalation factor.

Development at the proposed Lone Tree FAS would include installing a precast vault latrine, a regulation/credit sign, improving the trail or adding stairs down to the river, and improving the parking area. The parking area improvement would include five parking spaces with concrete pin-downs, blocking off one of the current entrance roads, improving the turning radius at the other current entrance road, and improving the turning radius from the entrance road to the parking area.

Development at the proposed Bull Pasture FAS would include improving the gravel entrance road, reclaiming existing roads and approaches at the site, constructing a parking area for up to five parking spaces with concrete pin-downs, installing a precast concrete vault latrine, a regulation /credit sign, construction of a new 4-wire farm fence with a gate and pedestrian pass-through. The development at each site is needed to protect the sites (i.e., prevent erosion, prevent sanitation problems, prevent off-road use, and control weeds) and to manage visitor use.

#### **Alternative C: Status Quo - Maintain management and access solely through the PLFAS agreement**

Do not lease the sites and develop them into formal Fishing Access Sites. The sites would be managed for public access by FWP through a Private Land Fishing Access agreement. Current high use would continue at both sites, as well as, erosion, sanitation problems, overnight camping and off road use. This management strategy is unacceptable to the landowners.

#### **Alternative D: Lease but do not Develop the Proposed Lone Tree and Proposed Bull Pasture Fishing Access Sites**

FWP would lease and manage, but not develop the proposed Lone Tree FAS (1.21 acres) and Bull Pasture properties (1.47 acres) The annual lease rate will be \$1,500 per site per year with a 2% annual escalation factor. There would be no development costs and maintenance costs would not change. This management strategy is unacceptable to the landowners.

**2. Evaluation and listing of mitigation, stipulation, or other control measures enforceable by the agency or another government agency:**

There is no mitigation, stipulations, or other controls associated with this action, therefore, no evaluation is necessary. Final design plans and specifications for the proposed project may be developed by a private engineering consultant in conjunction with FWP engineering staff or by FWP engineers depending on time and cost restraints. All state and federal permits will be obtained by FWP. A private contractor selected through the State's competitive bid process will complete construction.



## PART III. ENVIRONMENTAL REVIEW MEPA CHECKLIST

Evaluation of the impacts of the Proposed Action including secondary and cumulative impacts on the Physical and Human Environment.

### A. PHYSICAL ENVIRONMENT

1. LAND RESOURCES Will the proposed action result in:	IMPACT*				Can Impact Be Mitigated *	Comment Index
	Unknown *	None	Minor *	Potentially Significant		
a. Soil instability or changes in geologic substructure?			X		Yes	1a.
b. Disruption, displacement, erosion, compaction, moisture loss, or over-covering of soil which would reduce productivity or fertility?			X		Yes	1b.
c. Destruction, covering or modification of any unique geologic or physical features?		X				.
d. Changes in siltation, deposition or erosion patterns that may modify the channel of a river or stream or the bed or shore of a lake?		X				
e. Exposure of people or property to earthquakes, landslides, ground failure, or other natural hazard?		X				

- 1a. Proposed Lone Tree FAS: The proposed project would not cause changes in the geologic substructure and would cause minor changes in soil stability. Only a small portion of the proposed trail (or stairs) may be located in the 100-year flood area (Zone A) as mapped by the Federal Emergency Management Administration on the FIRM Index (Flood Insurance Rate Map, Map Number 0380975B, effective date April 1, 1981). All proposed development other than the trail (or stairs) at the site is located on a high bluff overlooking the Missouri River. Erosion is expected to be minor due to erosion control measures and BMP's (Appendix 5) implemented. Construction of the trail would lead to increased surface runoff due to slope (8-35%) and the Brocko-Chinook Complex soil type. Since numerous trails currently exist from the parking area down to the river, improving a single trail (or adding stairs) would be designed to eliminate or reduce use of the other trails at the site, decreasing the current erosion problems from the multiple pioneered trails. The parking area and entrance roads are improvements and not new construction. Best Management Practices (BMP's) (Appendix 5) would be utilized to minimize impacts during construction of the proposed project.

\* Include a narrative explanation under Part III describing the scope and level of impact. If the impact is unknown, explain why the unknown impact has not or cannot be evaluated.

\*\* Include a narrative description addressing the items identified in 12.8.604-1a (ARM).

\*\*\* Determine whether the described impact may result and respond on the checklist. Describe any minor or potentially significant impacts.

\*\*\*\* Include a discussion about the issue in the EA narrative and include documentation if it will be useful.

Proposed Bull Pasture FAS: The project would not cause changes in the geologic substructure and would cause minor changes in soil stability. Erosion is expected to be minor. Surface runoff would occur due to slope (0-8%) and the Korell Loam and Sieben gravelly loam soils. The parking area and entrance roads are improvements and not new construction. BMP's (Appendix 5) would be utilized to minimize these impacts during construction of the proposed project.

- 1b. Proposed Lone Tree FAS: That portion of the project involving the trail (or stairs) would be expected to reduce erosion and sediment delivery to the waterway through the construction of a trail or stairs with erosion control measures and diverting runoff so it can be filtered. Currently, recreationists have developed several trails leading down to the river's edge. Improving a trail system or adding stairs from the parking area to the river would likely decrease or eliminate use of the pioneered trails and decrease erosion as well as provide a safer more user-friendly access to the water. If successful, this would also result in a decrease of compaction and re-vegetation of the pioneered trails over time. The road, parking area, and latrine would be located in an area that is already used for parking. Construction would cause some minor over-covering of soil. BMP's (Appendix 5) would be utilized to minimize these impacts during construction of the proposed project.

Proposed Bull Pasture FAS: The proposed project would be expected to reduce erosion since the intended improvements will be designed to decrease erosion at the site and protect existing vegetation. The road, parking area, and latrine would be located in an area that is already used for parking. Construction would cause some minor over-covering of soil. BMP's (Appendix 5) would be utilized to minimize impacts during construction of the proposed project.

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## PHYSICAL ENVIRONMENT

2. AIR  Will the proposed action result in:	IMPACT *				Can Impact Be Mitigated *	Comment Index
	Unknown *	None	Minor *	Potentially Significant		
a. Emission of air pollutants or deterioration of ambient air quality? (also see 13 (c))			X		Yes	2a.
b. Creation of objectionable odors?			X		Yes	2b.
c. Alteration of air movement, moisture, or temperature patterns or any change in climate, either locally or regionally?		X				
d. Adverse effects on vegetation, including crops, due to increased emissions of pollutants?		X				
e. <del>For P-R/D-J projects</del> , will the project result in any discharge which will conflict with federal or state air quality regs? (Also see 2a)		NA				

- 2a. Minor amounts of dust would be temporarily created during construction of roads and parking areas at both sites. Best Management Practices (BMP's) (Appendix 5) would be utilized to minimize the dust during construction.
- 2b. Vault latrines will emit foul odors if they are not installed correctly. Not installing latrines at the sites would likely result in sanitation problems that could potentially result in health and safety issues. The latrines will be maintained regularly to avoid offensive odors. A sanitation permit will be obtained prior to installation.

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\*\* Include a narrative description addressing the items identified in 12.8.604-1a (ARM).

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### PHYSICAL ENVIRONMENT

3. <u>WATER</u>  Will the proposed action result in:	IMPACT *				Can Impact Be Mitigated *	Comment Index
	Unknown *	None	Minor *	Potentially Significant		
a. Discharge into surface water or any alteration of surface water quality including but not limited to temperature, dissolved oxygen or turbidity?			X		Yes	3a.
b. Changes in drainage patterns or the rate and amount of surface runoff?			X		Yes	See 3a.
c. Alteration of the course or magnitude of flood water or other flows?		X				
d. Changes in the amount of surface water in any water body or creation of a new water body?		X				
e. Exposure of people or property to water related hazards such as flooding?		X				
f. Changes in the quality of groundwater?		X				
g. Changes in the quantity of groundwater?		X				
h. Increase in risk of contamination of surface or groundwater?		X				
i. Effects on any existing water right or reservation?		X				
j. Effects on other water users as a result of any alteration in surface or groundwater quality?		X				
k. Effects on other users as a result of any alteration in surface or groundwater quantity?		X				
l. For P-R/D-J, will the project affect a designated floodplain? (Also see 3c)		NA				
m. For P-R/D-J, will the project result in any discharge that will affect federal or state water quality regulations? (Also see 3a)		NA				

3a. Development at both sites is occurring in an area that has been previously disturbed. The development/improvements planned would be designed to direct runoff for no discharge directly to the river. Any increased discharge into surface water or alterations of drainage patterns would be minor and temporary during construction. Best Management Practices (BMP's) Appendix 5 would be utilized to minimize these impacts during construction of the proposed project.

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\*\* Include a narrative description addressing the items identified in 12.8.604-1a (ARM).

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## PHYSICAL ENVIRONMENT

4. <u>VEGETATION</u>  Will the proposed action result in:	IMPACT *				Can Impact Be Mitigated *	Comment Index
	Unknown *	None	Minor *	Potentially Significant		
a. Changes in the diversity, productivity or abundance of plant species (including trees, shrubs, grass, crops, and aquatic plants)?			X		No	4a.
b. Alteration of a plant community?		X				
c. Adverse effects on any unique, rare, threatened, or endangered species?		X				4c.
d. Reduction in acreage or productivity of any agricultural land?		X				
e. Establishment or spread of noxious weeds?			X		Yes	4e.
f. For <u>P-R/D-J</u> , will the project affect wetlands, or prime and unique farmland?		NA				

4a. Development at both sites is occurring in an area that has been previously disturbed. Disturbed soils at the proposed parking areas could become colonized by noxious weeds, but will be monitored. There may be a minor change in plant species in the area of construction, but the vegetation is common in the areas surrounding the proposed sites. Much of the vegetation around the Lone Tree parking area is primarily grasses along with Skunkbrush and Chokecherry, some Willows, Roses, Sweet Clover, Curly Gumweed, Ball Mustard, Globe Mallow, Western Yarrow, Yucca, Snowberry, Flix Weed, Grease Wood, Goat's Beard (Salsify), and Showy Milkweed. The vegetation at the Bull Pasture site primarily includes grasses, Water Hemlock, Chokecherry, and Sweet Clover.

4c. The Montana Natural Heritage Program (MNHP) found no records of unique, rare, threatened, or endangered plant species within one mile of either site.

4e. Noxious weeds are present at both locations; there is an infestation of Spotted Knapweed at the proposed Bull Pasture FAS. Noxious weeds present at the proposed Lone Tree FAS include Spotted Knapweed, Hound's Tongue, Leafy Spurge, Common Mullein and Scotch Broom. Both locations would be actively managed for noxious weeds under the FWP Region Four Weed Management Plan, which utilizes mechanical, chemical and biological methods to prevent and control noxious weeds. FWP would contract with the Lewis and Clark County Weed District to perform weed control activities at both of these locations. Additional intense weed control may initially be required at the Bull Pasture FAS.

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## PHYSICAL ENVIRONMENT

5. <u>FISH/WILDLIFE</u>  Will the proposed action result in:	IMPACT *				Can Impact Be Mitigated *	Comment Index
	Unknown *	None	Minor *	Potentially Significant		
a. Deterioration of critical fish or wildlife habitat?		X				
b. Changes in the diversity or abundance of game animals or bird species?			X			5b.
c. Changes in the diversity or abundance of nongame species?			X			See 5b.
d. Introduction of new species into an area?		X				
e. Creation of a barrier to the migration or movement of animals?			X			5e.
f. Adverse effects on any unique, rare, threatened, or endangered species?		X				5f.
g. Increase in conditions that stress wildlife populations or limit abundance (including harassment, legal or illegal harvest or other human activity)?		X				
h. <u>For P-R/D-J</u> , will the project be performed in any area in which T&E species are present, and will the project affect any T&E species or their habitat? (Also see 5f)		NA				
i. <u>For P-R/D-J</u> , will the project introduce or export any species not presently or historically occurring in the receiving location? (Also see 5d)		NA				

5b. Impacts by the proposed project to wildlife in the area should be similar to the existing conditions since the sites already receive substantial use. No change is expected in the diversity or abundance of game animals, bird species or non-game species.

5e. The proposed Bull Pasture FAS is located next to a pasture. A new fence would be constructed and would include a gate and pedestrian pass-through. The fence is intended to contain livestock and to direct people through the gate and pedestrian pass-through. The new fence construction would be built in a wildlife friendly manner; the top wire would be low enough that deer could jump over and the lowest strand would be high enough that antelope could get under it.

5f. A search of the Natural Resources Information System provided by the Montana Natural Heritage Program showed that both the proposed Lone Tree FAS area and the proposed Bull Pasture FAS area are within Gray Wolf and Bald Eagle

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habitat. In addition, Bull Pasture is also within Great Plains Toad and Spotted Bat habitat. The FWP Wildlife Manager and Wildlife Biologist for the area do not have any concerns with the proposed project impacting the wildlife in the area, noting the small area involved that is already used by the public and the greater habitat through out the Big Belt mountains.

The FWP Montana Interim Wolf Management Areas with 2007 Pack Locations shows no wolf packs in the general areas near Lone Tree and Bull Pasture. The proposed project is unlikely to affect this species. Though wolves may pass through the area, the sites are not really critical habitats.

According to FWP Region 4 Wildlife Manager, the proposed Lone Tree FAS is within the nesting territory of a bald eagle pair; however, the nest used in previous years is at least one-quarter mile from the proposed FAS. The nest is located on a ridge 1000-1500 feet above the proposed site. According to the FWP Region 4 Wildlife Manager, it is unlikely that the bald eagles would be disturbed by development of the proposed FAS, as the proposed FAS is already receiving high use and visitors to the proposed FAS would not have access to the private land where the nest is located.

Please see Appendix 2 for the Montana Natural Heritage Program (MNHP) Native Species Reports for more information on these species.

- \* Include a narrative explanation under Part III describing the scope and level of impact. If the impact is unknown, explain why the unknown impact has not or cannot be evaluated.
- \*\* Include a narrative description addressing the items identified in 12.8.604-1a (ARM).
- \*\*\* Determine whether the described impact may result and respond on the checklist. Describe any minor or potentially significant impacts.
- \*\*\*\* Include a discussion about the issue in the EA narrative and include documentation if it will be useful.

## B. HUMAN ENVIRONMENT

6. <u>NOISE/ELECTRICAL EFFECTS</u>  Will the proposed action result in:	IMPACT *				Can Impact Be Mitigated *	Comment Index
	Unknown *	None	Minor *	Potentially Significant		
a. Increases in existing noise levels?			X		Yes	6a.
b. Exposure of people to severe or nuisance noise levels?		X				
c. Creation of electrostatic or electromagnetic effects that could be detrimental to human health or property?		X				
d. Interference with radio or television reception and operation?		X				

- 6a. Noise levels would increase during construction; this level would be minor and temporary. The development at both sites is designed to meet usage and not increase usage; therefore, noise should not increase in the long term. FWP would follow the guidelines of the good neighbor policy for public recreation lands (MCA 23-1-126.) to have “no impact upon adjoining private and public lands by preventing impact on those adjoining lands from noxious weeds, trespass, litter, noise and light pollution, stream bank erosion and loss of privacy.”

\* Include a narrative explanation under Part III describing the scope and level of impact. If the impact is unknown, explain why the unknown impact has not or cannot be evaluated.

\*\* Include a narrative description addressing the items identified in 12.8.604-1a (ARM).

\*\*\* Determine whether the described impact may result and respond on the checklist. Describe any minor or potentially significant impacts.

\*\*\*\* Include a discussion about the issue in the EA narrative and include documentation if it will be useful.

## HUMAN ENVIRONMENT

7. <u>LAND USE</u>  Will the proposed action result in:	IMPACT *				Can Impact Be Mitigated *	Comment Index
	Unknown*	None	Minor *	Potentially Significant		
a. Alteration of or interference with the productivity or profitability of the existing land use of an area?		X				
b. Conflicted with a designated natural area or area of unusual scientific or educational importance?			X		Yes	7b.
c. Conflict with any existing land use whose presence would constrain or potentially prohibit the proposed action?		X				7c.
d. Adverse effects on or relocation of residences?		X				

7b. The proposed Lone Tree FAS has no conflicts identified in the land use of a designated natural area or area of unusual scientific or educational importance. The proposed work at Bull Pasture will mitigate for the findings in the Cultural Resource Inventory completed by covering or filling rather than excavating the land to preserve any cultural or historical use of the land.

7c. The proposed projects would not alter land use in the area. The area already receives extensive public use and development of the sites would not alter current land use patterns.

\* Include a narrative explanation under Part III describing the scope and level of impact. If the impact is unknown, explain why the unknown impact has not or cannot be evaluated.

\*\* Include a narrative description addressing the items identified in 12.8.604-1a (ARM).

\*\*\* Determine whether the described impact may result and respond on the checklist. Describe any minor or potentially significant impacts.

\*\*\*\* Include a discussion about the issue in the EA narrative and include documentation if it will be useful.

## HUMAN ENVIRONMENT

8. <u>RISK/HEALTH HAZARDS</u>  Will the proposed action result in:	IMPACT *				Can Impact Be Mitigated *	Comment Index
	Unknown *	None	Minor*	Potentially Significant		
a. Risk of an explosion or release of hazardous substances (including, but not limited to oil, pesticides, chemicals, or radiation) in the event of an accident or other forms of disruption?			X		Yes	8a.
b. Affect an existing emergency response or emergency evacuation plan or create a need for a new plan?		X				
c. Creation of any human health hazard or potential hazard?		X				
d. <u>For P-R/D-J</u> , will any chemical toxicants be used? (Also see 8a)		NA				

- 8a. The FWP Region Four Weed Management Plan calls for an integrated method of managing weeds, including the use of herbicides. The use of herbicides would comply with Montana Department of Agriculture application guidelines and be conducted by licensed applicators trained in safe handling techniques. Weeds would also be controlled using mechanical or biological means in certain areas to reduce the risk of chemical spills or water contamination.

\* Include a narrative explanation under Part III describing the scope and level of impact. If the impact is unknown, explain why the unknown impact has not or cannot be evaluated.

\*\* Include a narrative description addressing the items identified in 12.8.604-1a (ARM).

\*\*\* Determine whether the described impact may result and respond on the checklist. Describe any minor or potentially significant impacts.

\*\*\*\* Include a discussion about the issue in the EA narrative and include documentation if it will be useful.

## HUMAN ENVIRONMENT

9. <u>COMMUNITY IMPACT</u>  Will the proposed action result in:	IMPACT*				Can Impact Be Mitigated *	Comment Index
	Unknown *	None	Minor *	Potentially Significant		
a. Alteration of the location, distribution, density, or growth rate of the human population of an area?		X				
b. Alteration of the social structure of a community?		X				
c. Alteration of the level or distribution of employment or community or personal income?		X				
d. Changes in industrial or commercial activity?		X				
e. Increased traffic hazards or effects on existing transportation facilities or patterns of movement of people and goods?			X		Yes	9e.

- 9e. Any impact to the community would be minor and not measureable. The development at both sites is designed to meet current public usage and not to increase usage; however, use may increase some because of improved facilities. The proposed work at both sites is expected to have a positive impact by improving the entrance roads, parking areas and trails and reducing potential traffic hazards. By designating road use, parking spaces and improving trails or adding stairs, the proposed work will have a positive impact by reducing or eliminating use of pioneered trails and parking spaces which were not designed to prevent erosion or even ensure safety of vehicles traveling and parking at these locations.

\* Include a narrative explanation under Part III describing the scope and level of impact. If the impact is unknown, explain why the unknown impact has not or cannot be evaluated.

\*\* Include a narrative description addressing the items identified in 12.8.604-1a (ARM).

\*\*\* Determine whether the described impact may result and respond on the checklist. Describe any minor or potentially significant impacts.

\*\*\*\* Include a discussion about the issue in the EA narrative and include documentation if it will be useful.

## HUMAN ENVIRONMENT

10. PUBLIC SERVICES/TAXES/UTILITIES  Will the proposed action result in:	IMPACT *				Can Impact Be Mitigated *	Comment Index
	Unknown *	None	Minor*	Potentially Significant		
a. Will the proposed action have an effect upon or result in a need for new or altered governmental services in any of the following areas: fire or police protection, schools, parks/recreational facilities, roads or other public maintenance, water supply, sewer or septic systems, solid waste disposal, health, or other governmental services? If any, specify: _____		X				10a.
b. Will the proposed action have an effect upon the local or state tax base and revenues?		X				10b.
c. Will the proposed action result in a need for new facilities or substantial alterations of any of the following utilities: electric power, natural gas, other fuel supply or distribution systems, or communications?		X				
d. Will the proposed action result in increased used of any energy source?		X				
e. Define projected revenue sources						10e.
f. Define projected maintenance costs.						10f.

- 10a. There will be maintenance responsibilities associated with the proposed development and FWP will assume all responsibility and integrate maintenance of these sites in its existing FAS maintenance schedule.
- 10b. The proposed leases will not effect the local property tax base and revenues since FWP proposes to lease the sites and the property will be kept in private ownership. Therefore, there would be no impact on the local tax base caused by this proposed action.
- 10e. There would be no revenue generated from the proposed action. These sites will be managed as day use only and no camping site fee revenues will be generated.
- 10f. Proposed Lone Tree FAS. It would cost approximately \$1,800 per year for FWP to operate and maintain road, parking area, fences, toilet, signs, weeds, and grounds at this site.

Proposed Bull Pasture FAS. It would cost approximately \$2,550 per year for FWP to operate and maintain road, parking area, fences, toilet, signs, gate, weeds, and grounds at this site. The additional cost at this site is due to management of the weed infestation. This cost is anticipated to decrease each year as weeds are controlled.

\* Include a narrative explanation under Part III describing the scope and level of impact. If the impact is unknown, explain why the unknown impact has not or cannot be evaluated.

\*\* Include a narrative description addressing the items identified in 12.8.604-1a (ARM).

\*\*\* Determine whether the described impact may result and respond on the checklist. Describe any minor or potentially significant impacts.

\*\*\*\* Include a discussion about the issue in the EA narrative and include documentation if it will be useful.



## HUMAN ENVIRONMENT

11. <u>AESTHETICS/RECREATION</u>  Will the proposed action result in:	IMPACT *				Can Impact Be Mitigated *	Comment Index
	Unknown *	None	Minor *	Potentially Significant		
a. Alteration of any scenic vista or creation of an aesthetically offensive site or effect that is open to public view?		X				
b. Alteration of the aesthetic character of a community or neighborhood?		X				
c. Alteration of the quality or quantity of recreational/tourism opportunities and settings? (Attach Tourism Report)			X		Yes	11c.
d. <del>For P-R/D-J</del> , will any designated or proposed wild or scenic rivers, trails or wilderness areas be impacted? (Also see 11a, 11c)		NA				

- 11c. The proposed project would benefit the quality of recreational/tourism opportunities by protecting the sites for the public, the landowner and FWP, as the leaseholder. Please see Appendix 4 for the Department of Commerce Tourism Report.

\* Include a narrative explanation under Part III describing the scope and level of impact. If the impact is unknown, explain why the unknown impact has not or cannot be evaluated.

\*\* Include a narrative description addressing the items identified in 12.8.604-1a (ARM).

\*\*\* Determine whether the described impact may result and respond on the checklist. Describe any minor or potentially significant impacts.

\*\*\*\* Include a discussion about the issue in the EA narrative and include documentation if it will be useful.

## HUMAN ENVIRONMENT

12. <u>CULTURAL/HISTORICAL RESOURCES</u>  Will the proposed action result in:	IMPACT *				Can Impact Be Mitigated *	Comment Index
	Unknown *	None	Minor *	Potentially Significant		
a. Destruction or alteration of any site, structure or object of prehistoric, historic, or paleontological importance?			X		Yes	12a.
b. Physical change that would affect unique cultural values?		X				
c. Effects on existing religious or sacred uses of a site or area?		X				
d. <u>For P-R/D-J</u> , will the project affect historic or cultural resources? Attach SHPO letter of clearance. (Also see 12.a)		NA				

- 12a. Proposed Lone Tree FAS. The proposed development would not destroy or alter any site, structure or object of historic importance. The State Historic Preservation Office (SHPO) clearance has been obtained for the work at the proposed Lone Tree FAS. Please see SHPO clearance letter in Appendix 3.

Proposed Bull Pasture FAS. The State Historic Preservation Office (SHPO) has been consulted and requested a Cultural Resource Inventory for the proposed Bull Pasture FAS. See Appendix 3 for the SHPO letter. A consultant has been hired and the report received. Based on the findings in the Cultural Resource Inventory, the proposed development at Bull Pasture would mitigate by covering rather than excavating the land to preserve any cultural or historical use of the land. SHPO consultation will be completed prior to any ground disturbing activity at the proposed Bull Pasture FAS.

\* Include a narrative explanation under Part III describing the scope and level of impact. If the impact is unknown, explain why the unknown impact has not or cannot be evaluated.

\*\* Include a narrative description addressing the items identified in 12.8.604-1a (ARM).

\*\*\* Determine whether the described impact may result and respond on the checklist. Describe any minor or potentially significant impacts.

\*\*\*\* Include a discussion about the issue in the EA narrative and include documentation if it will be useful.

## HUMAN ENVIRONMENT

13. SUMMARY EVALUATION OF SIGNIFICANCE	IMPACT *				Can Impact Be Mitigated *	Comment Index
	Unknown *	None	Minor *	Potentially Significant		
Will the proposed action, considered as a whole:						
a. Have impacts that are individually limited, but cumulatively considerable? (A project or program may result in impacts on two or more separate resources which create a significant effect when considered together or in total.)		X				
b. Involve potential risks or adverse effects which are uncertain but extremely hazardous if they were to occur?		X				
c. Potentially conflict with the substantive requirements of any local, state, or federal law, regulation, standard or formal plan?		X				
d. Establish a precedent or likelihood that future actions with significant environmental impacts will be proposed?		X				
e. Generate substantial debate or controversy about the nature of the impacts that would be created?		X				
f. For P-R/D-J, is the project expected to have organized opposition or generate substantial public controversy? (Also see 13e)		NA				
g. For P-R/D-J, list any federal or state permits required.		NA				

This EA found no significant impacts to the human or physical environment from the proposed action.

\* Include a narrative explanation under Part III describing the scope and level of impact. If the impact is unknown, explain why the unknown impact has not or cannot be evaluated.

\*\* Include a narrative description addressing the items identified in 12.8.604-1a (ARM).

\*\*\* Determine whether the described impact may result and respond on the checklist. Describe any minor or potentially significant impacts.

\*\*\*\* Include a discussion about the issue in the EA narrative and include documentation if it will be useful.

## **PART IV. NARRATIVE EVALUATION AND COMMENT**

The proposed project would minimally impact the physical environment. Best Management Practices (Appendix 5) would be utilized to minimize impacts to the land and water during design and construction of the proposed project. Construction of the trail or stairs at the proposed Lone Tree FAS would increase surface runoff due to the slope. Currently numerous trails lead down to the river from the parking area. Establishing one or two trails or stairs with lower grades would decrease sediment delivery from the site as well as improve visitor access and safety. Improvements to the access roads and parking areas will occur in areas that have already been disturbed.

The purpose of the proposed development is to improve sanitation of the areas already used by the public in addition to preventing further erosion at the existing sites by establishing designated parking and trails. The proposed development would increase public recreational opportunities with no significant negative impacts and has positive impact by improving the sanitation issues in addition to preventing further erosion.

The establishment of parking, trails or stairs, signage and a latrine at each site is consistent with long-term goals set by the Montana Fish, Wildlife & Parks to maintain public fishing access sites while preserving the natural resources at each site. Region 4 Parks Division does not currently have adequate staffing or funding to maintain these new sites without additional funding from the Fishing Access Program or from another FWP funding source.

The proposed project would minimally affect the human environment. The lease and development have been designed to manage current use and to protect the sites from further degradation. Usage levels are not anticipated to increase as a result of this project. The proposed project would not alter public services, taxes, or utilities. The proposed project would provide the public continued and improved access at both sites. The State Historic Preservation Office (SHPO) has been consulted and requested a cultural inventory for the proposed Bull Pasture FAS area. A consultant has been hired and the report received. See Appendix 3 for the Lone Tree SHPO clearance and Bull Pasture recommendations. SHPO consultation will be completed prior to any ground disturbing activity at the proposed Bull Pasture FAS.

## **PART V. PUBLIC PARTICIPATION**

1. **Describe the level of public involvement for this project if any, and, given the complexity and the seriousness of the environmental issues associated with the proposed action, is the level of public involvement appropriate under the circumstances?**

The public would be notified in the following ways to comment on the EA for the Proposed Lone Tree Fishing Access Site and Proposed Bull Pasture Fishing Access Site Lease and Development

1. Legal notices would be published in the *Great Falls Tribune* and the *Helena Independent Record*.
2. A legal notice and the draft EA would be posted on the Montana Fish, Wildlife, & Parks web page: <http://fwp.mt.gov/publicnotices>
3. Direct notice would be given to adjacent landowners.
4. Draft EA's would be available at the Region 4 headquarters in Great Falls and the State Headquarters in Helena.
5. A news release will be prepared and distributed to a standard list of media outlets interested in FWP Region 4 issues.

This level of public involvement is appropriate for a project of this scale.

2. **Duration of comment period, if any.**

The public comment period would be 30 days; comments will be accepted until January 26, 2009 at 5:00PM. Comments may be emailed to mmarcinek@mt.gov, or written comments may be sent to the following address:

Sterling Ranch FAS Sites EA  
4600 Giant Springs Road  
Great Falls, MT 59405

## **PART VI. EA PREPARATION**

1. **Based on the significance criteria evaluated in this EA, is an EIS required? NO If an EIS is not required, explain why the EA is the appropriate level of analysis for this proposed action.**

Based on an evaluation of impacts to the physical and human environment under MEPA, this environmental review revealed no significant negative impacts from the proposed action: therefore, an EIS is not necessary and an environmental assessment is the appropriate level of analysis. In determining the significance of the impacts, Fish, Wildlife and Parks assessed the severity, duration, geographic extent, and frequency of the impact, the probability that the impact would occur or reasonable assurance that the impact would not occur. FWP assessed the growth-inducing or growth-inhibiting aspects of the impact, the importance to the state and to society of the environmental resource or value affected, any precedent that would be set as a result of an impact of the proposed action that would commit FWP to future actions; and potential conflicts

with local, federal, or state laws. As this EA revealed no significant impacts from the proposed actions, an EA is the appropriate level of review and an EIS is not required.

**2. Person responsible for preparing the EA:**

Roger Semler  
Regional Parks Manager  
4600 Giant Springs Road  
Great Falls MT 59405  
406-454-5859

**3. Agencies and businesses consulted during preparation of the EA:**

Montana Fish, Wildlife & Parks  
Parks Division, Region 4  
Wildlife Division, Region 4  
Fisheries Division, Region 4  
Lands Section  
Design and Construction Bureau  
Legal Unit

Montana Department of Commerce—Tourism  
1424 9<sup>th</sup> Ave. Helena, MT 59620-0533

Montana Natural Heritage Program—Natural Resources Information System  
1515 East Sixth Avenue Helena, MT 59620-1800

Montana State Historic Preservation Office (SHPO)  
1410 8th Ave. Helena, MT 59601

GCM Services Inc. – Cultural Resources Inventory for Sterling Ranch Proposed  
Fishing Access Site Bull Pasture FAS  
1003 S Montana Butte MT 59702

Lewis and Clark County Weed District  
316 North Park Ave Room 207 Helena, MT 59623

**Appendices**

- 1 HB495 Project Qualification Checklist
- 2 Montana Natural Heritage Program (MNHP) Native Species Report Sterling Ranch  
Proposed FAS areas for Lone Tree Area and Bull Pasture Area
- 3 State Historic Preservation Office Concurrence Letter Lone Tree and Bull Pasture
- 4 Tourism Report Department of Commerce
- 5 Best Management Practices Final FAS BMP's Department of Fish Wildlife & Parks



**APPENDIX 1**  
**HB495**  
**PROJECT QUALIFICATION CHECKLIST**

**Date** February 28, 2007

**Person Reviewing** Sally Schrank

**Project Location:** The proposed Lone Tree FAS is located on Recreation Road, 1.4 miles upstream of Craig on the east bank of the Missouri River at Township 15 N, Range 3 W, SE ¼ of section 15 in Lewis and Clark County, Montana. The proposed lease is 1.21 acres. The proposed Bull Pasture FAS is located on Beartooth Road, 1.4 miles upstream of Wolf Creek Bridge on the east bank of the Missouri River Township 14 N, Range 3 W, NW ¼ of section 4 in Lewis and Clark County. The proposed lease is 1.47 acres.

**Description of Proposed Work:** Both sites would be developed into fishing access sites. Development at proposed Lone Tree FAS would include installation of a precast vault latrine, installation of a regulation/credit sign, improving a trail or adding stairs down to the river, and improving the parking area. Development at the proposed Bull Pasture FAS would include improving the gravel entrance road, reclaiming existing roads and approaches, improving the parking area, installing a precast concrete vault latrine, installing a regulation/credit sign and installing new 4-wire fence with gate and turnstile. The development at each site is needed to prevent erosion, prevent sanitation problems, control weeds, prevent off-road use, and to manage current use.

The following checklist is intended to be a guide for determining whether a proposed development or improvement is of enough significance to fall under HB 495 rules.

☐ A. New roadway or trail built over undisturbed land?

Comments:

☐ B. New building construction (buildings <100 sf and vault latrines exempt)?

Comments:

☐ C. Any excavation of 20 c.y. or greater?

Comments:

☒ D. New parking lots built over undisturbed land or expansion of existing lot that increases parking capacity by 25% or more?

Comments: *Improving the parking areas would establish a parking capacity of five vehicles at proposed Lone Tree FAS and five vehicles at proposed Bull Pasture FAS.*

☐ E. Any new shoreline alteration that exceeds a double wide boat ramp or handicapped fishing station?

Comments:

☐ F. Any new construction into lakes, reservoirs, or streams?

Comments:

☐ G. Any new construction in an area with National Registry quality cultural artifacts (as determined by State Historical Preservation Office)?

Comments:

☐ H. Any new above ground utility lines?

Comments:

☐ I. Any increase or decrease in campsites of 25% or more of an existing number of campsites?

Comments:

☐ J. Proposed project significantly changes the existing features or use pattern; including effects of a series of individual projects?

Comments:

**If any of the above are checked, HB 495 rules apply to this proposed work and should be documented on the MEPA/HB495 CHECKLIST. Refer to MEPA/HB495Cross Reference Summary for further assistance.**

## APPENDIX 2

### Sensitive Plants and Animals Potentially Present in the Sterling Ranch Proposed FAS Areas

#### Species of Concern Terms and Definitions

A search of the Montana Natural Heritage Program (MNHP) element occurrence database (<http://nris.mt.gov>) indicates no known occurrences of federally listed threatened, endangered, or proposed threatened or endangered plant species in the proposed project site. The search did indicate the project areas are within the Gray Wolf, Fringed Myotis, Bald Eagle, Spotted Bat, Black-tailed Prairie Dog, and Wolverine distribution range. Please see the next page for more information on these species.

**Montana Species of Concern.** The term "**Species of Concern**" includes taxa that are at-risk or potentially at-risk due to rarity, restricted distribution, habitat loss, and/or other factors. The term also encompasses species that have a special designation by organizations or land management agencies in Montana, including: Bureau of Land Management Special Status and Watch species; U.S. Forest Service Sensitive and Watch species; U.S. Fish and Wildlife Service Threatened, Endangered and Candidate species.

#### **Status Ranks (Global and State)**

The international network of Natural Heritage Programs employs a standardized ranking system to denote global (**G** -- range-wide) and state status (**S**) (Nature Serve 2003). Species are assigned numeric ranks ranging from 1 (critically imperiled) to 5 (demonstrably secure), reflecting the relative degree to which they are "at-risk". Rank definitions are given below. A number of factors are considered in assigning ranks -- the number, size and distribution of known "occurrences" or populations, population trends (if known), habitat sensitivity, and threat. Factors in a species' life history that make it especially vulnerable are also considered (e.g., dependence on a specific pollinator).

#### **Status Ranks**

Code	Definition
<b>G1</b> <b>S1</b>	At high risk because of extremely limited and/or rapidly declining numbers, range, and/or habitat, making it highly vulnerable to global extinction or extirpation in the state.
<b>G2</b> <b>S2</b>	At risk because of very limited and/or declining numbers, range, and/or habitat, making it vulnerable to global extinction or extirpation in the state.
<b>G3</b> <b>S3</b>	Potentially at risk because of limited and/or declining numbers, range, and/or habitat, even though it may be abundant in some areas.
<b>G4</b> <b>S4</b>	Uncommon but not rare (although it may be rare in parts of its range), and usually widespread. Apparently not vulnerable in most of its range, but possibly cause for long-term concern.
<b>G5</b> <b>S5</b>	Common, widespread, and abundant (although it may be rare in parts of its range). Not vulnerable in most of its range.

## APPENDIX 2

(continued)

### Sensitive Plants and Animals Potentially Present in the Proposed Bull Pasture FAS Area

#### 1. *Canis lupus* (Gray Wolf)

Natural Heritage Ranks:

State: **S3**

Global: **G4**

Federal Agency Status:

U.S. Fish and Wildlife Service: **Endangered**

U.S. Forest Service: **Endangered**

U.S. Bureau of Land Management: **Special Status**

For Montana, the 2006 Interagency Rocky Mountain Wolf Recovery Report notes: Total number of packs = 9 Total number of individuals = 73; Total number of breeding pairs = 31. No Gray Wolf observations have been reported in the proposed Bull Pasture FAS.

#### 2. *Haliaeetus leucocephalus* (Bald Eagle)

Natural Heritage Ranks:

State: **S3**

Global: **G5**

Federal Agency Status:

U.S. Fish and Wildlife Service: **DM**

U.S. Forest Service: **Threatened**

U.S. Bureau of Land Management: **Special Status**

#### 3. *Euderma maculatum* (Spotted Bat)

Natural Heritage Ranks:

State: **S2**

Global: **G4**

Federal Agency Status:

U.S. Fish and Wildlife Service:

U.S. Forest Service: **Sensitive**

U.S. Bureau of Land Management: **Sensitive**

#### 4. *Bufo cognatus* (Great Plains Toad)

Natural Heritage Ranks:

State: **S2**

Global: **G5**

Federal Agency Status:

U.S. Fish and Wildlife Service:

U.S. Forest Service: **Sensitive**

U.S. Bureau of Land Management: **Sensitive**

#### 5. *Gulo gulo* (Wolverine)

Natural Heritage Ranks:

State: **S3**

Global: **G4**

Federal Agency Status:

U.S. Fish and Wildlife Service:

U.S. Forest Service: **Sensitive**

U.S. Bureau of Land Management: **Sensitive**

The Big Belt mountain range has relatively continuous habitat for this species. The Element Occurrence has 2 observations and 1 harvest record from the 1990's for Wolverine in the general area of the proposed Bull Pasture FAS area. NOTE: the distribution of wolverine identified by FWP's Wildlife Division does not include the proposed Bull Pasture FAS area. FWP's Region 4 Wildlife Manager Graham Taylor and Wildlife Biologist Cory Loecker confirmed the proposed project area is not considered wolverine habitat.

Information courtesy of Montana Natural Heritage Program.

## APPENDIX 2

(continued)

### Sensitive Plants and Animals in the Proposed Lone Tree FAS Area

#### 1. *Canis lupus* (Gray Wolf)

Natural Heritage Ranks:

State: **S3**

Global: **G4**

Federal Agency Status:

U.S. Fish and Wildlife Service: **Endangered**

U.S. Forest Service: **Endangered**

U.S. Bureau of Land Management: **Special Status**

For Montana, the 2006 Interagency Rocky Mountain Wolf Recovery Report notes: Total number of packs = 9 Total number of individuals = 73; Total number of breeding pairs = 31. No Gray Wolf observations have been reported in the proposed Bull Pasture FAS.

#### 2. *Haliaeetus leucocephalus* (Bald Eagle)

Natural Heritage Ranks:

State: **S3**

Global: **G5**

Federal Agency Status:

U.S. Fish and Wildlife Service: **DM**

U.S. Forest Service: **Threatened**

U.S. Bureau of Land Management: **Special Status**

#### 3. *Gulo gulo* (Wolverine)

Natural Heritage Ranks:

State: **S3**

Global: **G4**

Federal Agency Status:

U.S. Fish and Wildlife Service:

U.S. Forest Service: **Sensitive**

U.S. Bureau of Land Management: **Sensitive**

The Big Belt mountain range has relatively continuous habitat for this species. The Element Occurrence has 2 observations and 1 harvest record from the 1990's for Wolverine in the general area of the proposed Lone Tree FAS area. NOTE: the distribution of wolverine identified by FWP's Wildlife Division does include the proposed Lone Tree FAS area, FWP's Region 4 Wildlife Manager Graham Taylor and Wildlife Biologist Cory Loecker confirmed the proposed project area is not considered wolverine habitat.

Information courtesy of Montana Natural Heritage Program.

**APPENDIX 3**  
**Sterling Ranch SHPO Letter**  
(See next page for Sterling Ranch Specifics)



**MONTANA HISTORICAL SOCIETY**

225 North Roberts ♦ P.O. Box 201201 ♦ Helena, MT 59620-1201  
♦ (406) 444-2694 ♦ FAX (406) 444-2696 ♦ [www.montanahistoricalsociety.org](http://www.montanahistoricalsociety.org) ♦

September 14, 2007

Bardell Mangum  
FWP  
PO Box 200701  
Helena MT 59620-0701

RE: FWP REGION 4 FAS AND STATE PARKS CAPITAL PROJECTS. SHPO Project  
#: 2007091203

Dear Bardell:

Below you will find the results of my file searches as well as our recommendations for the fishing access sites and state parks in Region 4.

**FWP FILE #400.4 GIANT SPRINGS STATE PARK**

I have conducted a cultural resource file search for the above-cited project located in Section 33, T21N R4E. According to our records there have been a few previously recorded sites within the designated search locale. In addition to the sites there have been a few previously conducted cultural resource inventories done in the area. If you would like any further information regarding these sites or reports you may contact me at the number listed below.

We feel that there is a low likelihood cultural properties will be impacted. We, therefore, feel that a recommendation for a cultural resource inventory is unwarranted at this time. However, should cultural materials be inadvertently discovered during this project we would ask that our office be contacted and the site investigated. Thank you for consulting with us.

**FWP FILE #606.1 MID CANON FAS**

I have conducted a cultural resource file search for the above-cited project located in Section 20, T16N R2W. According to our records there has been one previously recorded site within the designated search locale. In addition to the site there has been one previously conducted cultural resource inventories done in the area.

We feel that there is a low likelihood cultural properties will be impacted. We, therefore, feel that a recommendation for a cultural resource inventory is unwarranted at this time. However, should cultural materials be inadvertently discovered during this project we



**STATE HISTORIC PRESERVATION OFFICE** ♦ 1410 8<sup>th</sup> Ave ♦ P.O. Box 201202 ♦ Helena, MT 59620-1202  
♦ (406) 444-7715 ♦ FAX (406) 444-6575





## MONTANA HISTORICAL SOCIETY

225 North Roberts ♦ P.O. Box 201201 ♦ Helena, MT 59620-1201  
♦ (406) 444-2694 ♦ FAX (406) 444-2696 ♦ [www.montanahistoricalsociety.org](http://www.montanahistoricalsociety.org) ♦

would ask that our office be contacted and the site investigated. Thank you for consulting with us.

FWP FILE #2004-1 STERLING RANCH - T14N R3W EAS

I have conducted a cultural resource file search for the above-cited project located in Section 4, T14N R3W. According to our records there has been one previously recorded site within the designated search locale. The absence of more cultural properties in the area does not mean that they do not exist but rather may reflect the absence of any previous cultural resource inventory in the area, as our records indicated none.

Based on the site in the area, the lack of previous inventory and the ground disturbance required by this undertaking we feel that this project has the potential to impact cultural properties. We, therefore, recommend that a cultural resource inventory be conducted in order to determine whether or not sites exist and if they will be impacted.

FWP FILE #2004-1 STERLING RANCH - T15N R3W EAS

I have conducted a cultural resource file search for the above-cited project located in Section 15, T15N R3W. According to our records there has been one previously recorded site within the designated search locale. The absence of more cultural properties in the area does not mean that they do not exist but rather may reflect the absence of any previous cultural resource inventory in the area, as our records indicated none.

We feel that there is a low likelihood cultural properties will be impacted. We, therefore, feel that a recommendation for a cultural resource inventory is unwarranted at this time. However, should cultural materials be inadvertently discovered during this project we would ask that our office be contacted and the site investigated. Thank you for consulting with us.

If you have any further questions or comments you may contact me at (406) 444-7767 or by e-mail at [dmurdo@mt.gov](mailto:dmurdo@mt.gov).

Sincerely,

Damon Murdo  
Cultural Records Manager

File: FWP/PARKS/2007



STATE HISTORIC PRESERVATION OFFICE ♦ 1410 8<sup>th</sup> Ave ♦ P.O. Box 201202 ♦ Helena, MT 59620-1202  
♦ (406) 444-7715 ♦ FAX (406) 444-6575

**APPENDIX 4**  
**TOURISM REPORT**  
**MONTANA ENVIRONMENTAL POLICY ACT (MEPA)/HB495**

The Montana Department of Fish, Wildlife & Parks has initiated the review process as mandated by HB495 and the Montana Environmental Policy Act in its consideration of the project described below. As part of the review process, input and comments are being solicited. Please complete the project name, project description portions, and submit this form to:

Victor Bjornberg, Tourism Development Coordinator  
Travel Montana-Department of Commerce  
PO Box 200533  
1424 9<sup>th</sup> Ave.  
Helena, MT 59620-0533

**Project Name:** Proposed Lone Tree Fishing Access Site and Proposed Bull Pasture Fishing Access Site Lease and Development

**Project Description:** FWP would acquire and develop the proposed Lone Tree FAS (1.21 acres) and the proposed Bull Pasture FAS (1.47 acres) through a lease agreement with the private landowner at the cost of 5% of the appraisal value. Development at proposed Lone Tree FAS would include installing a precast vault latrine, installing a regulation/credit sign, improving the trail down to the river, and improving the parking area. The parking area improvement would include installing five parking spaces with concrete pin-downs, blocking off one of the current entrance roads, improving the turning radius at the other current entrance road, and improving the turning radius from the entrance road to the parking area. Development at the proposed Bull Pasture FAS would include improving the gravel entrance road, reclaiming existing roads and approaches at the site, constructing five parking spaces with concrete pin-downs, installing a precast concrete vault latrine, installing a regulation /credit sign, installing new 4-wire farm fence with a gate and turnstile. The development at each site is needed to protect the sites (i.e., prevent erosion, prevent sanitation problems, prevent off-road use, and control weeds) and to manage current use.

1. Would this site development project have an impact on the tourism economy?

NO YES If YES, briefly describe:

The preferred action at Lone Tree and Bull Pasture appears to address a number of problems occurring under the current PLFA arrangement with the landowner and continues to allow public access to an important Montana fishery. Improving trails and paving the preferred access road, creating designated parking areas, adding the latrine services, fencing and other management tools will better protect the site for the public, the landowner and FWP as lease holders.

2. Does this impending improvement alter the quality or quantity of recreation/tourism opportunities and settings?

NO YES If YES, briefly describe:

As described the project would improve the quality of opportunities at the FAS by better directing users to limit their impacts on the area while still enjoying access to a quality fishery. Without these improvements, the landowner may find the use impacts unacceptable and remove their land from the PLFA.

Signature: Victor Bjornberg, Tourism Development Coordinator, Travel Montana  
Date: March 1, 2007

**Appendix 5**  
**MONTANA FISH, WILDLIFE AND PARKS**  
**BEST MANAGEMENT PRACTICES FOR FISHING ACCESS SITES**  
Updated May 1, 2008

**I. ROADS**

**A. Road Planning and location**

1. Minimize the number of roads constructed at the FAS through comprehensive road planning, recognizing foreseeable future uses.
  - a. Use existing roads, unless use of such roads would cause or aggravate an erosion problem.
2. Fit the road to the topography by locating roads on natural benches and following natural contours. Avoid long, steep road grades and narrow canyons.
3. Locate roads on stable geology, including well-drained soils and rock formations that tend to dip into the slope. Avoid slumps and slide-prone areas characterized by steep slopes, highly weathered bedrock, clay beds, concave slopes, hummocky topography, and rock layers that dip parallel to the slope. Avoid wet areas, including seeps, wetlands, wet meadows, and natural drainage channels.
4. Minimize the number of stream crossings.
  - a. Choose stable stream crossing sites. “Stable” refers to streambanks with erosion-resistant materials and in hydrologically safe spots.

**B. Road Design**

1. Design roads to the minimum standard necessary to accommodate anticipated use and equipment. The need for higher engineering standards can be alleviated through proper road-use management. “Standard” refers to road width.
2. Design roads to minimize disruption of natural drainage patterns. Vary road grades to reduce concentrated flow in road drainage ditches, culverts, and on fill slopes and road surfaces.

**C. Drainage from Road Surface**

1. Provide adequate drainage from the surface of all permanent and temporary roads. Use outsloped, insloped or crowned roads, installing proper drainage features. Space road drainage features so peak flow on road surface or in ditches will not exceed their capacity.

- a. Outsloped roads provide means of dispersing water in a low-energy flow from the road surface. Outsloped roads are appropriate when fill slopes are stable, drainage will not flow directly into stream channels, and transportation safety can be met.
  - b. For insloped roads, plan ditch gradients steep enough, generally greater than 2%, but less than 8%, to prevent sediment deposition and ditch erosion. The steeper gradients may be suitable for more stable soils; use the lower gradients for less stable soils.
  - c. Design and install road surface drainage features at adequate spacing to control erosion; steeper gradients require more frequent drainage features. Properly constructed drain dips can be an economical method of road surface drainage. Construct drain dips deep enough into the sub-grade so that traffic will not obliterate them.
2. For ditch relief/culverts, construct stable catch basins at stable angles. Protect the inflow end of cross-drain culverts from plugging and armor if in erodible soil. Skewing ditch relief culverts 20 to 30 degrees toward the inflow from the ditch will improve inlet efficiency.
  3. Provide energy dissipators (rock piles, slash, log chunks, etc.) where necessary to reduce erosion at outlet of drainage features. Cross-drains, culverts, water bars, dips, and other drainage structures should not discharge onto erodible soils or fill slopes without outfall protection.
  4. Route road drainage through adequate filtration zones, or other sediment-settling structures. Install road drainage features above stream crossings to route discharge into filtration zones before entering a stream.

**D. Construction/Reconstruction**

1. Stabilize erodible, exposed soils by seeding, compacting, riprapping, benching, mulching, or other suitable means.
2. At the toe of potentially erodible fill slopes, particularly near stream channels, pile slash in a row parallel to the road to trap sediment. When done concurrently with road construction, this is one method to effectively control sediment movement and it also provides an economical way of disposing of roadway slash. Limit the height, width and length of these “slash filter windrows” so not to impede wildlife movement. Sediment fabric fences or other methods may be used if effective.
3. Construct cut and fill slopes at stable angles to prevent sloughing and subsequent erosion.
4. Avoid incorporating potentially unstable woody debris in the fill portion of the road

prism. Where possible, leave existing rooted trees or shrubs at the toe of the fill slope to stabilize the fill.

5. Place debris, overburden, and other waste materials associated with construction and maintenance activities in a location to avoid entry into streams. Include these waste areas in soil stabilization planning for the road.
6. When using existing roads, reconstruct only to the extent necessary to provide adequate drainage and safety; avoid disturbing stable road surfaces. Consider abandoning existing roads when their use would aggravate erosion.

E. Road Maintenance

1. Grade road surfaces only as often as necessary to maintain a stable running surface and to retain the original surface drainage.
2. Maintain erosion control features through periodic inspection and maintenance, including cleaning dips and cross-drains, repairing ditches, marking culvert inlets to aid in location, and clearing debris from culverts.
3. Avoid cutting the toe of cut slopes when grading roads, pulling ditches, or plowing snow.
4. Avoid using roads during wet periods if such use would likely damage the road drainage features. Consider gates, barricades or signs to limit use of roads during wet periods.

II. RECREATIONAL FACILITIES (parking areas, campsites, trails, ramps, restrooms)

A. Site Design

1. Design a site that best fits the topography, soil type, and stream character, while minimizing soil disturbance and economically accomplishing recreational objectives. Keep roads and parking lots at least 50 feet from water; if closer, mitigate with vegetative buffers as necessary.
2. Locate foot trails to avoid concentrating runoff and provide breaks in grade as needed. Locate trails and parking areas away from natural drainage systems and divert runoff to stable areas. Limit the grade of trails on unstable, saturated, highly erosive, or easily compacted soils
3. Scale the number of boat ramps, campsites, parking areas, bathroom facilities, etc. to be commensurate with existing and anticipated needs. Facilities should not invite such use that natural features will be degraded.
4. Provide adequate barriers to minimize off-road vehicle use

## B. Maintenance: Soil Disturbance and Drainage

1. Maintenance operations minimize soil disturbance around parking lots, swimming areas and campsites, through proper placement and dispersal of such facilities or by reseeding disturbed ground. Drainage from such facilities should be promoted through proper grading.
2. Maintain adequate drainage for ramps by keeping side drains functional or by maintaining drainage of road surface above ramps or by crowning (on natural surfaces).
3. Maintain adequate drainage for trails. Use mitigating measures, such as water bars, wood chips, and grass seeding, to reduce erosion on trails.
4. When roads are abandoned during reconstruction or to implement site-control, they must be reseeded and provided with adequate drainage so that periodic maintenance is not required.

## III. RAMPS AND STREAM CROSSINGS

### A. Legal Requirements

1. Relevant permits must be obtained prior to building bridges across streams or boat ramps. Such permits include the SPA 124 permit, the COE 404 permit, and the DNRC Floodplain Development Permit.

### B. Design Considerations

1. Placement of boat ramp should be such that boats can load and unload with out difficulty and the notch in the bank where the ramp was placed does not encourage bank erosion. Extensions of boat ramps beyond the natural bank can also encourage erosion.
2. Adjust the road grade or provide drainage features (e.g. rubber flaps) to reduce the concentration of road drainage to stream crossings and boat ramps. Direct drainage flow through an adequate filtration zone and away from the ramp or crossing through the use of gravel side-drains, crowning (on natural surfaces) or 30-degree angled grooves on concrete ramps.
3. Avoid unimproved stream crossings on permanent streams. On ephemeral streams, when a culvert or bridge is not feasible, locate drive-throughs on a stable, rocky portion of the stream channel.
4. Unimproved (non-concrete) ramps should only be used when the native soils are sufficiently gravelly or rocky to withstand the use at the site and to resist erosion.



### C. Installation of Stream Crossings and Ramps

1. Minimize stream channel disturbances and related sediment problems during construction of road and installation of stream crossing structures. Do not place erodible material into stream channels. Remove stockpiled material from high water zones. Locate temporary construction bypass roads in locations where the stream course will have a minimal disturbance. Time the construction activities to protect fisheries and water quality.
2. Where ramps enter the stream channel, they should follow the natural streambed in order to avoid changing stream hydraulics and to optimize use of boat trailers.
3. Use culverts with a minimum diameter of 15 inches for permanent stream crossings and cross drains. Proper sizing of culverts may dictate a larger pipe and should be based on a 50-year flow recurrence interval. Install culverts to conform to the natural streambed and slope on all perennial streams and on intermittent streams that support fish or that provide seasonal fish passage. Place culverts slightly below normal stream grade to avoid culvert outfall barriers. Do not alter stream channels upstream from culverts, unless necessary to protect fill or to prevent culvert blockage. Armor the inlet and/or outlet with rock or other suitable material where needed.
4. Prevent erosion of boat ramps and the affected streambank through proper placement (so as to not catch the stream current) and hardening (riprap or erosion resistant woody vegetation).
5. Maintain a 1-foot minimum cover for culverts 18-36 inches in diameter, and a cover of one-third diameter for larger culverts to prevent crushing by traffic.